

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FELIX VANSLYKE, JR.,

Defendant.

CR-16-58-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 2, 2021. (Doc. 46.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 31, 2021. (Doc. 42.) The United States accused Vanslyke of violating his conditions of supervised release by consuming alcohol. (Doc. 40.)

At the revocation hearing, Vanslyke admitted to violating the conditions of his supervised release by consuming alcohol. (Doc.42.) Judge Johnston found that

the violation Vanslyke admitted proved to be serious and warranted revocation, and recommended that Vanslyke receive a custodial sentence of time served with 35 months of supervised release to follow. (Doc. 46.) Vanslyke was advised of his right to appeal and his right to allocute before the undersigned. Vanslyke waived those rights. (Doc. 42.) The violations prove serious and warrant revocation of Vanslyke's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 46) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Felix Vanslyke, Jr. be sentenced to the custody of the United States Bureau of Prisons for time served, with 35 months of supervised release to follow.

DATED this 2nd day of September, 2021.



Brian Morris, Chief District Judge
United States District Court